

# Migration: Idealism versus Pragmatism

Humanitarian Hot Topics

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KUNO is an initiative of ten NGOs and five knowledge institutes from the Dutch humanitarian sector. KUNO's goal is to strengthen the humanitarian sector in the Netherlands. KUNO is a platform for joint learning, reflection and debate. We organize expert meetings, working sessions for professionals, webinars, training and public debates. All of our events are cross-sectoral and organized in cooperation with our partners.

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Cover photo: LTR: Marieke Mol, Evelien van Roemburg, Arjan Hehenkamp, John Dalhuisen

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## 1. Introduction

The new series 'Humanitarian Hot Topics' revolves around the dilemmas of daily humanitarian practice. It is about values and virtues and it touches on the central mission of humanitarianism, the things we really believe in, but that can be hard to deal with and problematic at the same time. How can we deal with certain dilemmas that the current political and social climate is obliging us to address? At a time when humanitarian values are fiercely criticized, how can the humanitarian world respond?

On 23 October 2018, the first edition of the new series 'Humanitarian Hot Topics' took place at Humanity House, organized by KUNO and Humanity House. The topic was migration. How can humanitarian organizations safeguard the right to asylum within the current political and societal climate and the rise of Fort Europe? Should humanitarian organizations accept and deal with the growing unease among European citizens, and work out the best possible protection for refugees within this reality? Or should they keep on insisting on what morally is right? These questions were at the heart of this constructive debate.

The keynote speaker was John Dalhuisen, former director of Amnesty International and now Senior Fellow at the European Stability Initiative. The panel was composed of Marieke Mol, senior policy officer at the Bureau Migration Policy of the Dutch Ministry of Foreign Affairs, Evelien van Roemburg, Europe Migration Campaign manager for Oxfam International, and Arjan Hehenkamp, former Managing Director of Doctors without Borders and current Deputy Director of Stichting Vluchteling.

## 2. Keynote speaker: John Dalhuisen

John Dalhuisen worked for many years at Amnesty International. During the European migration crisis in 2015/2016, Dalhuisen was Director of the Europe and Central Asia Program of Amnesty International, and he advocated fiercely against the EU-Turkey Deal. He later reconsidered his position. In January 2018, Dalhuisen resigned from Amnesty, expressing dissatisfaction with the organizational approach to migration. Now Dalhuisen works for the European Stability Initiative, the think tank of Gerald Knaus, architect of the Turkey Deal.

Dalhuisen stated that a key issue for present-day human rights movements is the presence of strategic challenges, that require a shift in the strategic thinking and

moral calculus of humanitarian organizations. Specifically, Dalhuisen argued that there is a danger when NGOs stubbornly hold on to idealistic moralities and values: they place themselves outside the public and political debate on and subsequently lose influence. In the current political climate, where NGOs wish to fight for humane values, Dalhuisen believes that it is more sensible for NGOs to retain their influence by setting the bar less high. NGOs can achieve this by distinguishing between a core set of rights and values (“red line rights”) and a less important periphery (“high-line rights”). When NGOs make this distinction, it can help them to focus on the essence (core) by compromising on the desirable (the periphery). In the current political climate in Europe, Dalhuisen argued that this is the way to ensure humane protection for refugees by retaining influence. This is the essence of his argument.

Dalhuisen arrived at this conclusion through an analysis of the following points: (i) the present-day situation concerning migration, (ii) an explanation of what NGOs are currently asking for and (iii) a breakdown of an achievable humane alternative and why NGOs should back this.

*i. The situation now*

Dalhuisen identified a trend in which NGO boats are being hounded out of the Central Mediterranean, rescue missions are reduced and Libyan authorities have been subcontracted to take migrants back to a dangerous country in which they face a high risk of torture and misery. When an exception is made and migrants are not repatriated immediately, as currently in Greece, they live in appalling conditions for long periods of time. In short: the present-day status quo along Europe’s key external borders violates all the red lines that comprise the moral core of human rights organizations. Furthermore, Dalhuisen labeled it a brute fact that no mainstream political party that aspires to be in power is opposing these policies. He argued that this shows that societal empathy has a limit, and this limit has been reached. Faced with a choice between open and closed borders, societies will ultimately choose the latter.

*“Borders are closed down cruelly if politicians believe the alternative is open borders.”*

*ii. What NGO’s are advocating for*

NGOs are advocating for a return to search and rescue in the central Mediterranean, an end to migration deals with Libya, the scrapping of the EU-Turkey deal, the immediate transfer of asylum seekers arriving on the Greek islands to the mainland

and their subsequent relocation across the EU. However, the consequence would be that Europe will return to a pre-2014 situation in which the vast majority migrants entered Europe and stayed indefinitely. In reality, this is an open border system, that was not functioning, according to Dalhuisen. It has already failed – in the face of current numbers of arrivals and levels of social anxiety: it cannot be sold politically and socially and is therefore completely unachievable.

Why do NGOs continue to advocate these policies? According to Dalhuisen, in the first place, many NGOs still believe that they can change public opinion. Second, they hope that the public hostility to migration will diminish with the easing of economic anxieties. Third, they believe that when the number of immigrants decreases, social anxieties will decrease and the pressure will reduce. Finally, NGOs hope they can influence political decision-making. However, Dalhuisen argues that all these assumptions are flawed and takes the Australian Nauru-system as an example. On the island of Nauru, immigrants are ‘collected’ and forced to wait in appalling conditions. It is unambiguously bad and everyone knows this: but it “works”: it discourages arrivals and has been condoned by the Australian population and both ends of the political spectrum - not once, but twice - irrespective of the small numbers arriving and swings in the country’s economic fortunes. Many European leaders look at this system admiringly. But they already have a version of it in place in Libya: and as in Australia, the public has largely accepted it. The moment when a public accepts a clearly abusive practice is a deeply dangerous moment for rights and rights advocates. Europe is very close to reaching this point. Averting it requires those who care about rights to rethink their strategy – and their calls.

Dalhuisen argued for the need to compromise. He recognized that human rights organizations are both ideologically and psychologically reluctant to compromise, and stated that this is almost always the right position to take. But he said that this was not always true – and was specifically not the right approach to take when it comes to migration policy in Europe right now. What if there is an alternative that can uphold core human rights and can get political backing? Shouldn’t rights advocates back this, if doing so will help to secure it and the alternative is losing everything?

*iii. An achievable humane alternative (?)*

Dalhuisen argued that there is an alternative policy that does not violate human rights norms. He explained that these policies are both humane and politically sellable, and it would make a difference if human rights organizations backed them,

rather than criticized them. This proposal has two themes: controlling the migration stream, and being humane at the same time:

Controlling the migration stream:

- Distinguishing fairly between refugees and those who do not need protection – and quickly returning as many of the latter as possible; this requires controlled processing centers and workable readmission agreements with countries of origin
- Reducing, where possible, the number of refugees that come to Europe by creating other spaces for protection, that meet the required standards.

Being humane:

- Ensuring access to EU territory for asylum seekers;
- Not returning asylum seekers to places in where their rights will not be respected;
- Adequate search and rescue capacity;
- Fair but quick processing of everyone arriving (ideally within 2 or 3 months);
- Humane conditions for people pending asylum.

*“Half a loaf is better than no bread. We need to sacrifice what we can in order to make a change”*

By advocating for these policies, Dalhuisen suggested that human rights organizations would not be compromising on core human rights obligations, but only on moral intuitions that exceed existing human rights requirements.

Rights advocates have been compromising for years. When they sacrifice the desirable, they can achieve the essential. Dalhuisen compared this with bread: “Half a loaf is better than no bread. We need to sacrifice what we can in order to make a change. This is not a dirty compromise, but it is the right thing to do. This is your power to change something”. For the activist, pragmatism and idealism are false opposites: today’s world demands a pragmatic idealism.

## Questions for John Dalhuisen

*Question: since you called for more pragmatism within the human rights organizations you have had numerous public discussions about this topic. What reactions have you received so far from your former colleagues?*

Dalhuisen responded that he merely tried to trigger an important debate that was almost non-existent. This required the public airing of his concerns – an approach that many former colleagues understandably took issue with: not least because some of the media portrayal, regrettably, but perhaps predictably, cast the story as Dalhuisen vs. Amnesty. Some were sympathetic to his views, however, and over time, he felt that the core of his argument has gained traction.

*Question: you talk about human rights, but what do you have to say about legal rights?*

Dalhuisen replied that human rights are first and foremost legal rights. A radical version of his theory of compromise would even invite the possibility of compromising on high-line legal human rights if these were necessary to preserve social consensus behind core, red-line, human rights respecting policies. But Dalhuisen stressed that this was not the case in respect of the migration policies he was proposing - which would not require any rewriting or ignoring of existing human rights laws.

## 3. Opening the debate

### The panellists

**Evelien van Roemburg** is the Europe Migration Campaign manager for Oxfam International. She leads the advocacy and campaign development and delivery of Oxfam's humanitarian refugee response in Europe.

Van Roemburg agreed with Dalhuisen that the policies in Europe are becoming more restrictive and problematic. However, she disagreed with his perception of how NGOs respond to these policies. Whereas Dalhuisen argues that NGOs need to learn how to compromise, van Roemburg argues that compromises are already reality for organizations like Oxfam. Values are not carved in stone, so we need to keep reminding governments why these values matter. Furthermore, she stressed the need to have a different narrative when talking to the broader public, as Oxfam has explored for a couple years now. Is it moving away from idealism if an organization talks about rights in a way the general public can adhere understand Van Roemburg thought this is not the case. As such, Oxfam is both idealistic and pragmatic at the same time.



*Question: Do you think you will lose your influence if you do not lower your moral ceiling?*

Van Roemburg found this difficult to answer, but she knew that their influence has not changed significantly. She referred to Dalhuisen, who said that lowering the ceiling will aid liberals and moderate people. But when you look at Australia, you can see that they are implementing problematic policies all on their own – lowering the ceiling would only make it easier for them to do so. As such, it is not the right solution to lower the moral ceiling.

**Marieke Mol** is senior policy officer at the Bureau Migration Policy of the Ministry of Foreign Affairs in The Netherlands. From 2014 until 2015 she was liaison officer at the Taskforce for Greece – European Commission in Athens, Greece.

Mol described herself as an idealist who happens to work at the Dutch Ministry of Foreign Affairs. She appreciated the work that NGOs are doing and foresaw a strong need for them in the future. Therefore, she felt it is not her task to tell them how they should do their job. However, Mol did identify a significant shift in the political debate and needs the help from NGOs to make the support for migration bigger.

**Arjan Hehenkamp** was Managing Director at the head office of Doctors Without Borders and is currently Deputy Director for Stichting Vluchteling (Netherlands Refugee Foundation).

Hehenkamp highlighted the fact that he is a humanitarian, not an advocate. He saw it as the nature of humanitarian organizations to compromise on their ideals, to achieve the unachievable in an impossible context. Hehenkamp made four points. First, his main concern was that Dalhuisen identified that European policies around migration should be central for NGOs. Europe is a sideshow, because the main reality of humanitarians revolves around the increasing difficulties associated with entering a country in conflict-situations, and that, equally, people cannot cross borders and are recognized as people who seek and deserve protection. Second, Hehenkamp identified a paradigm shift in terms of what is acceptable: we are thinking that Europe can stop people from fleeing into Europe, and the position Dalhuisen takes facilitates this shift. Third, the current pragmatism has shown contradictory results. Whereas it has caused a reduction in the numbers of refugees crossing the Mediterranean, it has also meant that more people were stranded in countries like Syria, because they can no longer cross the border. Hehenkamp argued that Dalhuisen only sees the positive results that pragmatism can bring, but not the negative, invisible results. Finally, Hehenkamp identified the long-term



damage that is caused by undermining the ability of humanitarian organizations to access people who deserve assistance and protection.

### **A response by John Dalhuisen**

Dalhuisen disagreed with the remark by Hehenkamp that he sees Europe as a sideshow. He argued that it is not a side show for the people [migrants] who are affected by it. It was also the number one issue within the European political debate at this moment. Something needs to be done about the migration crisis, and Dalhuisen would prefer it if it was not something miserable. On the paradigm shift, Dalhuisen said that this was precisely what he was trying to fight for: preserving access to EU territory and principle of protection for those fleeing persecution is indeed what is now at stake. These core principles are in danger of being lost, but they will not be preserved by advocating for policies that amount to open borders. Everything that is being done so far is worse than what he was proposing. Dalhuisen admitted that there could be negative side-effects, since these are inherent to any policy addressing wicked cross-border problems like migration. The aim should be to secure the best possible policies and demand their implementation in good faith. On invisible suffering, he argued for the need to also factor in future suffering – those who will suffer – greatly - if the status quo is not shifted.

### **Questions from the audience**

*Question: I have two granddaughters. I need to think about what world I want to leave my granddaughters. Can Europe solve the problems of Africa by migration? No! People will be coming here. What is your opinion on this?*

Dalhuisen responded that he believes it is troublesome if we think we can or are somehow instrumental to solving Africa's problems. This white-mans-burden-position is problematic and a bad starting point for policy making. In fact, Africa is progressing fast. The suggestion that millions of people want to come to Europe is also problematic. It is empirically not true. And this narrative plays into the hands of populists arguing that Europe must defend its borders – cruelly if necessary – to protect against invasion. His proposal can be managed with the number of refugees that are actually coming, but in a more humane way.

*Question: The main idea you propose is to change compromises into policies. I have an issue with the fact that on the one hand you say that the general population tends to disregard the argument, but also that Europe is not a solution. For whom are the policies meant then?*

Dalhuisen: A policy needs the backing of a majority. In a democracy, at least, this is a base-line proposition. No single European country can tackle migration

individually, this is clear. But, equally, the EU has proven too politically divided to offer a viable, short-term route to the policies the countries most affected need. The solution therefore, is to not look to the EU, but to a coalition of states that work together and coordinate their policy responses voluntarily.

*Question: Evelien van Roemburg suggested a need to change the narrative and the way we talk with the broader public. Could this result in more support?*

Dalhuisen: Dalhuisen: Most people are not nasty. They would prefer humane policies to cruel ones. But empathy does not trump identity. And it is very, very difficult to change people's attitudes towards their identity. In the end, you cannot change people and you do not need to. You need to find policies that speak both to their concerns and their capacity for empathy.

Van Roemburg: No, it is not about changing their attitudes – it is about coming up with a narrative framework that takes into account their attitudes. We talk about displacement and migration through family values and empathy, for example. And this resonates with a larger section of the population.

Hehenkamp: The current response of the European population is a natural reaction you get from every country that has an influx of people. Hehenkamp was surprised that Dalhuisen is taken by surprise by this popular European response and accused him of naivety. Both politicians and NGOs have their place. Hehenkamp believed he should continue to defend the rights and needs of people in need, and should not be compromising on these ideals. Dalhuisen proposed pragmatic policies. The reality is that both the idealistic and pragmatic approach have not been effective so far.

*Question by a (retired) human rights professional: emotional what has been said. Disagreed with the simplicity that is veiled under the complicated things and flat statements that are put forward. He believed that the base is unrealistic and that humans and systems are imperfect. It would be arrogant to think differently about this.*

Dalhuisen: The approach he was taking was based on imperfection. Dalhuisen argued that there is no perfect solution and that migration policies are always a trade-off game. Dalhuisen put the main question in these terms: how do you preserve the essence of the Refugee Convention, when this is in grave danger of being lost in Europe? Dalhuisen believed he is proposing the most humane rights compliant policies that a public might back and politicians could propose.

Furthermore, he remained deeply optimistic – perhaps even idealistic, perhaps even naïve, about the power to change something.

*Question: What if we do not try to find a solution on European borders, but try to motivate migrants to stay in their own country by focusing on improving the conditions in Africa?*

Mol: We have to do both: promoting legal pathways for migrants and contributing to the development of Africa.

## 4. Concluding remarks of the panellists

**Marieke Mol** believed we have one thing in common: not wanting people to risk their lives at sea to come to a different place. She stressed the need not to lose sight of this discussing what NGOs should advocate.

**Evelien van Roenburg** asked the audience how many people were migrants. Quite a lot raised their hands. She argued that we need to remember that every person has their own story. It is not the question whether social attitudes need to be changed. Instead, social attitudes must be used to talk to people in a language that resonates with them. If we give in and compromise, we get something that we cannot support. We should prevent going this way.

**Arjan Hehenkamp** summarized Dalhuisen proposal with: “concepts are there, but practices are lacking”. However, he believed that the concepts themselves cannot be enforced or implemented. If reality falls short, you need to reconsider the validity of the concepts and plans. Hehenkamp pictured a future in which violent conflicts will persist. He argued that NGOs need to protect and fight for their ability to protect people. If you lose sight of that goal, you lose sight of basic human prerogative and privilege which needs to be preserved.

**John Dalhuisen** concluded that there is no perfection, and that alternatives need to be weighed against each other. He argued that there are aspects that can be improved that do not violate fundamental humane laws. His basic point was that Europe is on the brink of losing important parts of its refugee protection system, some these developments were already baked into the political status quo. To criticize what is on the table but to offer no alternative is to remove yourself from the game. In the end, what has been discussed today are moral and strategic dilemmas, with which all NGOs are struggling. All open, critical debate on these issues is helpful.